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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/200,985	11/30/1998	MICHELLE Y. KIM	YO9-98-446	1001

7590

04/19/2002

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 04/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/200,985

Applicant(s)

KIM ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 4 is/are allowed.
- 6) ☒ Claim(s) 1-2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The action is responsive to communications: amendment filed 12/11/2001 to the application filed on 11/03/1998.
2. Claims 1-4 are currently pending in this application. Claim 3 has been amended by Applicant. Claims 1 and 3 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 remain rejected under 35 U.S.C. 102(b) as being anticipated by **Kim et al.** (U.S 5,659,790) as cited by applicant on IDS filed on 11/30/1998.

As to independent claim 1, Kim teaches a method of progressive time stamp (ranges of time intervals; col.2, lines 1-25) resolution in a multimedia presentation (multimedia presentation; col.2, lines 1-25) comprising the steps of:

- supplying a player (user interactive screen; col. 5, lines 41-67) of a multimedia presentation (multimedia presentation; col.2, lines 1-25) with information comprising two labels, one for a multimedia object's (multimedia objects; col.4, lines 48-64) start time (the process

starts; col.6, lines 3-12) and one for the multimedia object's (multimedia objects; col.4, lines 48-64) end time (process ends; col.6, lines 54-63) relative to other multimedia object start and stop times (temporal relations; col.5, lines 1-67), and three durations (time durations; col.5, lines 1-67), a minimum duration (a minimum length; col.4, lines 1-41), a maximum duration (a maximum length; col.4, lines 1-41) and a preferred duration (an optimum length; col.4, lines 1-41) for each multimedia object prior to start playback (playback; col.3, lines 40-48) of the multimedia object; and

- resolving the durations of multimedia objects using said information based on actual multimedia object duration and arrival of information of multimedia objects to be played (provides the basic measure for multimedia objects provides a reference to inter-relate various multimedia objects; col.4, lines 1-67).

As to dependent claim 2, Kim teaches (col.6, lines 1-67) the step of resolving comprises the steps of:

- calculating minimum and maximum end times for over all multimedia objects (the different between the specified optimal play duration of the episode and the schedule play duration)
- calculating actual end times that are shared by all multimedia objects (get the global minimum and maximum lengths)
- recalculating a preferred duration of each multimedia object (the schedule for the multimedia story is output and the multimedia document is run according to the schedule in output block).

Allowable Subject Matter

4. Claims 3 and 4 are allowed.

Response to Arguments

5. Applicant's arguments filed on December 11, 2001 have been fully considered but they are not persuasive.

The broad claim limitations used in the application continues to read on the references presented in the previous office action.

Applicant argues: "Kim does not teach an actual duration of a multimedia object being different from its initial duration due to any kind of delay." (Remark; page 5, lines 20-21)

In response, the Examiner contends that Kim's teachings "time duration" (col.5, lines 1-40), "a minimum length," "a maximum length," and "an optimum length" (col.4, lines 1-41) do read-on the claimed limitations.

Applicant argues: "Kim does not teach or suggest resolving the duration of multimedia objects using said information based on actual multimedia object duration and arrival of information of multimedia objects to be displayed." (Remark; page 5, line 22 - page 6, line 2).

In response, Kim's teaching "provides the basic measure for multimedia objects ...provides a reference to inter-relate various multimedia objects" (col.4, lines 1-67) meets the limitations as broadly claimed in the application.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703)306-0092. The examiner can normally be reached on Monday - Friday from 8:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

Contact Information:

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or fax to:

AFTER-FINAL faxes must be signed and sent to (703) 746-7238.

OFFICIAL faxes must be signed and sent to (703) 746-7239.

NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

Maikhanh nguyen
April 17, 2002.


HEATHER R. HERNDON
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